

City of Midland

ORDINANCE NO. 1585

TABLE OF CONTENTS

Part A: General Rules

ARTICLE 1: INTENT AND SHORT TITLE

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------|--------------------|
| Section 1.01 | Short Title | 1-1 |
| Section 1.02 | Intent | 1-1 |

ARTICLE 2: RULES OF CONSTRUCTION AND DEFINITIONS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-----------------------|--------------------|
| Section 2.01 | Rules of Construction | 2-1 |
| Section 2.02 | Definitions | 2-2 |

ARTICLE 3: GENERAL PROVISIONS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|---|--------------------|
| Section 3.01 | Administrative Regulations | 3-1 |
| Section 3.02 | Allowable Uses | 3-3 |
| Section 3.03 | Accessory Buildings and Structures | 3-3 |
| Section 3.04 | Lawful Use of a Structure as a Dwelling Unit | 3-5 |
| Section 3.05 | Residential Design Standards | 3-6 |
| Section 3.06 | Home Occupations | 3-6 |
| Section 3.07 | Temporary Structures and Uses | 3-7 |
| Section 3.08 | Uses not Otherwise Included Within a District | 3-8 |
| Section 3.09 | Yard and Bulk Regulations | 3-8 |
| Section 3.10 | Commercial Driveways | 3-12 |
| Section 3.11 | Grading Regulations | 3-18 |
| Section 3.12 | Lighting | 3-20 |
| Section 3.13 | Exceptions | 3-22 |
| Section 3.14 | Performance Guarantee | 3-23 |
| Section 3.15 | Waste Dumpsters & Enclosures | 3-24 |
| Section 3.16 | Communication Facilities | 3-25 |

ARTICLE 4: NONCONFORMITIES

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--|--------------------|
| Section 4.01 | Intent | 4-1 |
| Section 4.02 | Effective Date | 4-2 |
| Section 4.03 | General Requirements | 4-2 |
| Section 4.04 | Nonconforming Lots of Record | 4-3 |
| Section 4.05 | Modification to Nonconforming Uses or Structures | 4-4 |

ARTICLE 5: OFF-STREET PARKING AND LOADING REQUIREMENTS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|---------------------------------|--------------------|
| Section 5.01 | Off-Street Parking Requirements | 5-1 |
| Section 5.02 | Loading Space Requirements | 5-19 |

ARTICLE 6: LANDSCAPING AND SCREENING

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--|--------------------|
| Section 6.01 | Intent and Scope of Requirements | 6-1 |
| Section 6.02 | General Landscaping Requirements | 6-2 |
| Section 6.03 | Specific Landscaping Requirements for Zoning Districts | 6-6 |
| Section 6.04 | Standards for Landscape Materials | 6-8 |
| Section 6.05 | Installation and Maintenance | 6-13 |
| Section 6.06 | Treatment of Existing Plant Material | 6-14 |
| Section 6.07 | Modifications to Landscape Requirements | 6-15 |

ARTICLE 7: WALLS AND FENCES

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|---|--------------------|
| Section 7.01 | General Fence and Wall Standards | 7-1 |
| Section 7.02 | Obscuring Walls and Fences | 7-1 |
| Section 7.03 | Walls and Fences in Residential Districts | 7-3 |

ARTICLE 8: SIGNS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-----------------------|--------------------|
| Section 8.01 | Purpose | 8-1 |
| Section 8.02 | Scope of Requirements | 8-1 |
| Section 8.03 | Enforcement | 8-1 |
| Section 8.04 | General Provisions | 8-4 |

| | | |
|--------------|---|------|
| Section 8.05 | Sign Design Standards | 8-7 |
| Section 8.06 | Residential and Agricultural District Signs | 8-11 |
| Section 8.07 | Nonresidential District Signs | 8-13 |

ARTICLE 9: SITE DEVELOPMENT STANDARDS FOR SPECIFIC USES

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|---|--------------------|
| Section 9.01 | Intent and Scope of Application | 9-1 |
| Section 9.02 | Site Development Standards for Non-Residential Uses | 9-1 |
| Section 9.03 | Site Development Standards for Residential Uses | 9-9 |

ARTICLE 10: RESERVED

ARTICLE 11: RESERVED

Part B: Use Districts

ARTICLE 12: ESTABLISHMENT OF ZONING DISTRICTS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|---------------------------------------|--------------------|
| Section 12.01 | Creation of Districts | 12-1 |
| Section 12.02 | Adoption of Zoning Map | 12-1 |
| Section 12.03 | Interpretation of District Boundaries | 12-2 |
| Section 12.04 | Zoning of upon Annexation | 12-2 |
| Section 12.05 | Zoning of Vacated Areas | 12-2 |
| Section 12.06 | Zoning of Filled Land | 12-3 |
| Section 12.07 | District Requirements | 12-3 |

ARTICLE 13: AGRICULTURAL DISTRICT

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 13.01 | Statement of Purpose | 13-1 |
| Section 13.02 | Permitted Uses and Structures | 13-1 |
| Section 13.03 | Development Standards | 13-2 |

ARTICLE 14: RA-1, RA-2, RA-3, RA-4 – ONE AND TWO FAMILY RESIDENTIAL DISTRICTS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 14.01 | Statement of Purpose | 14-1 |
| Section 14.02 | Permitted Uses and Structures | 14-1 |
| Section 14.03 | Development Standards | 14-3 |

ARTICLE 15: RESIDENTIAL “B” DISTRICT – MULTIPLE FAMILY

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 15.01 | Statement of Purpose | 15-1 |
| Section 15.02 | Permitted Uses and Structures | 15-1 |
| Section 15.03 | Development Standards | 15-3 |

ARTICLE 16: RESIDENTIAL “D” DISTRICT – MOBILE HOME PARK

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 16.01 | Statement of Purpose | 16-1 |
| Section 16.02 | Permitted Uses and Structures | 16-1 |
| Section 16.03 | Development Standards | 16-2 |

ARTICLE 17: RESERVED

ARTICLE 18: HISTORIC PRESERVATION OVERLAY DISTRICT

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--|--------------------|
| Section 18.01 | Statement of Purpose | 18-1 |
| Section 18.02 | Area, Height, and Placement Regulation | 18-1 |

ARTICLE 19: COMMUNITY DISTRICT

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 19.01 | Statement of Purpose | 19-1 |
| Section 19.02 | Permitted Uses and Structures | 19-1 |
| Section 19.03 | Development Standards | 19-3 |

ARTICLE 20: OFFICE SERVICE DISTRICT

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 20.01 | Statement of Purpose | 20-1 |
| Section 20.02 | Permitted Uses and Structures | 20-1 |
| Section 20.03 | Development Standards | 20-3 |

ARTICLE 21: NC NEIGHBORHOOD COMMERCIAL, CC COMMUNITY COMMERCIAL, RC REGIONAL COMMERCIAL, D DOWNTOWN, D-O DOWNTOWN OVERLAY, C CIRCLE DISTRICTS AND DNO DOWNTOWN NORTHSIDE OVERLAY

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 21.01 | Statement of Purpose | 21-1 |
| Section 21.02 | Permitted Uses and Structures | 21-3 |
| Section 21.03 | Development Standards | 21-10 |

ARTICLE 22: LIMITED COMMERCIAL, MANUFACTURING AND RESEARCH DISTRICT

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 22.01 | Statement of Purpose | 22-1 |
| Section 22.02 | Permitted Uses and Structures | 22-1 |
| Section 22.03 | Development Standards | 22-2 |

ARTICLE 23: INDUSTRIAL DISTRICTS (“A” AND “B”)

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-------------------------------|--------------------|
| Section 23.01 | Statement of Purpose | 23-1 |
| Section 23.02 | Permitted Uses and Structures | 23-1 |
| Section 23.03 | Development Standards | 23-6 |

ARTICLE 24: PLANNED UNIT DEVELOPMENT

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|------------------------------------|--------------------|
| Section 24.01 | Intent | 24-1 |
| Section 24.02 | Definitions | 24-1 |
| Section 24.03 | Qualifications, Criteria Selection | 24-2 |
| Section 24.04 | Permitted Uses | 24-4 |
| Section 24.05 | Development Standards | 24-4 |
| Section 24.06 | Review Procedures | 24-7 |

ARTICLE 25: RESIDENTIAL OPEN SPACE OPTION

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-----------------------------|--------------------|
| Section 25.01 | Purpose | 25-1 |
| Section 25.02 | Review and Approval Process | 25-1 |
| Section 25.03 | Density | 25-2 |
| Section 25.04 | Dimensional Standards | 25-2 |
| Section 25.05 | Open Space Requirements | 25-2 |
| Section 25.06 | Stormwater Management | 25-4 |

ARTICLE 26: SCHEDULE OF REGULATIONS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|----------------------------------|--------------------|
| Section 26.01 | Intent and Scope of Requirements | 26-1 |
| Section 26.02 | Schedule of Regulations | 26-1 |

Part C: Administrative

ARTICLE 27: SITE PLAN REVIEW

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--|--------------------|
| Section 27.01 | Intent | 27-1 |
| Section 27.02 | Site Plan Required | 27-1 |
| Section 27.03 | Site Plan Review Applications and Procedures | 27-2 |
| Section 27.04 | Review and Final Action | 27-3 |
| Section 27.05 | Required Information on Site Plans | 27-5 |
| Section 27.06 | Standards for Site Plan Approval | 27-8 |
| Section 27.07 | Filing Fees | 27-11 |

ARTICLE 28: CONDITIONAL LAND USE

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--|--------------------|
| Section 28.01 | Intent | 28-1 |
| Section 28.02 | Procedures and Requirements | 28-1 |
| Section 28.03 | Standards for Granting Special Land Use Approval | 28-4 |
| Section 28.04 | Filing Fees | 28-6 |

ARTICLE 29: VARIANCES AND APPEALS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--|--------------------|
| Section 29.01 | Intent | 29-1 |
| Section 29.02 | Authority of the Zoning Board of Appeals | 29-1 |
| Section 29.03 | Applications and Notices | 29-3 |
| Section 29.04 | Disposition and Duration of Approval | 29-5 |
| Section 29.05 | Filing Fees | 29-6 |

ARTICLE 30: AMENDMENTS

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|-----------------------------|--------------------|
| Section 30.01 | Initiation of Amendment | 30-1 |
| Section 30.02 | Application for Amendment | 30-1 |
| Section 30.03 | Amendment Review Procedures | 30-1 |
| Section 30-4 | Filing Fees | 30-7 |

ARTICLE 31: ADMINISTRATIVE ORGANIZATION & ENFORCEMENT

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--|--------------------|
| Section 31.01 | Overview | 31-1 |
| Section 31.02 | City Council | 31-1 |
| Section 31.03 | City Planning Commission | 31-2 |
| Section 31.04 | Zoning Board of Appeals | 31-3 |
| Section 31.05 | Zoning Enforcement Officer, Building Official and Other Enforcement Officials | 31-3 |
| Section 31.06 | Zoning Compliance Permit | 31-4 |
| Section 31.07 | Violations and Penalties | 31-5 |

ARTICLE 32: SEVERABILITY, REPEAL, EFFECTIVE DATE, ADOPTION

| <i>New Section #</i> | <i>Name</i> | <i>Page Number</i> |
|----------------------|--------------|--------------------|
| Section 32.01 | Severability | 32-1 |